

REMARKS

Claims 1-21 were pending. Claims 4, 9 and 12 were previously withdrawn pursuant to a Restriction Requirement, but due to the withdrawal of the Restriction Requirement in the Office action of February 10, 2009, these claims are now no longer withdrawn.

Claim 15 has been amended to fix a minor grammatical error and to better clarify the language of the claim – specifically, to insert the word “a” before the words, “low-sloped roof.” No new matter has been added.

Claims 17 and 19 have been canceled without prejudice.

Claims 1-16, 18, 20 and 21 are now pending.

I. Notice of Non-Compliant Amendment Mailed August 27, 2009

A Notice of Non-Compliant Amendment was mailed August 27, 2009, alleging the following:

(1) that claims 4, 9 and 12 were improperly identified as withdrawn when they are in fact no longer withdrawn due to the withdrawal of an earlier Restriction Requirement; and

(2) that claim 15 was improperly identified as “Currently amended” when there were no markings present to indicate the changes.

With regard to (1), Applicants have herein amended the status identifiers of claims 4, 9 and 12 to read “Original” to indicate that these claims are now being examined on their merits. As Applicants representative Rachel J. Lin stated in a message left for the Examiner on September 25, 2009, it is believed that “Original” is the correct status identifier for claims that

were previously withdrawn based on a Restriction Requirement, but for which the Restriction Requirement has now been withdrawn. This was further confirmed by a discussion with an agent of the USPTO Inventors Assistance Center on the same date.

With regard to (2), Applicants respectfully submit that this objection has been made in error, as claim 15 was properly amended in Applicants' Amendment and Response of May 11, 2009. First, the word "a" was underlined and inserted into the text of claim 15, in compliance with the rules for making claim amendments (*see* MPEP § 714(II)(C)(B)). Second, in the Remarks of the original Amendment and Response, Applicants stated the following to point out the amendment:

Claim 15 has been amended to fix a minor grammatical error and to better clarify the language of the claim – specifically, to insert the word "a" before the words, "low-sloped roof." No new matter has been added.

(Amendment and Response of May 11, 2009, page 6). Therefore, Applicants respectfully submit that the amendment of claim 15 was and remains fully compliant.

In view of the above amendments and remarks, which supplement those of the Amendment and Response filed May 11, 2009, Applicants believe that each of the pending claims is in condition for allowance, early notice of which is earnestly solicited.

Should any outstanding issues remain, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number below.

No fees are believed to be due for the filing of this Supplemental Amendment and Response to Office Action and Response to Notice of Non-Compliant Amendment. However, the Director is hereby authorized to charge any necessary fees that may be due in connection with this filing, or credit any overpayments, to Deposit Account No. 03-1250, Reference No. FDN-2799, Customer No. 43,309.

Respectfully submitted,

Date: September 25, 2009

By: /Rachel J. Lin/
Rachel J. Lin
Reg. No. 51,098
Sills Cummis & Gross P.C.
One Rockefeller Plaza
New York, New York 10020
Telephone: (212) 643-7000